

In the High Court of Punjab and Haryana at Chandigarh

Regular First Appeal No. 812 of 1995
Date of Decision: 29.7.2015.

Daya Nand

.....Appellant

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Sudhir Aggarwal, Advocate
for the appellant.

Ms. Gaganpreet Kaur, AAG, Haryana.

SABINA, J.

Land situated in village Khandsa was sought to be acquired for construction of Drivers Training School and Central Body Building Workshop. Notification under Section 4 of the Land Acquisition Act, 1894 ('Act' for short) was issued on 18.5.1985. Land Acquisition Collector vide its award dated 17.12.1985, assessed the market value of the land at the rate of ₹ 55,000/- per acre qua chahi land and at the rate of ₹ 30,000/- per acre for *gair mumkin* land.

Being dissatisfied with the amount of compensation awarded by the Land Acquisition Collector, the appellant sought reference under Section 18 of the Act. The Reference Court vide award dated 22.2.1995 assessed the compensation at the rate of ₹ 50/- per square yard. Hence, the present appeal by the appellant.

Learned counsel for the appellant has submitted that the market value of the land, assessed by the Reference Court, was on the lower side. The land was situated in district Gurgaon and had great potential value.

Learned State counsel, on the other hand, has submitted that the Reference Court had enhanced the amount of compensation while basing reliance on the award passed by the Reference Court dated 16.8.1991 (Exhibit A-3) qua the same notification qua other land owners. So far as Exhibit A-3 is concerned, the State as well as the land owners had filed appeals in this Court and the State appeals have been allowed. Learned State counsel has further submitted that this appeal is covered by the decision given by this Court in Regular First Appeal No. 2599 of 1991 and other connected matters titled 'State of Haryana and another versus Chhida Singh and others' decided on 29.7.2015.

Since the present appeal relates to the same acquisition as involved in RFA No. 2599 of 1991, this appeal is disposed of in terms of the decision of this Court in Regular First Appeal No. 2599 of 1991 titled 'State of Haryana and another versus Chhida Singh and others' decided on 29.7.2015.

**(SABINA)
JUDGE**

July 29, 2015
Gurpreet